

Permit Fact Sheet

General Information

Permit Number:	WI-0064491-03-0
Permittee Name:	Breezy Point Farms Inc
Address:	W2184 Cty Rd K
City/State/Zip:	Durand WI 54736
Discharge Location:	Town of Nelson, Buffalo County
Receiving Water:	Little Bear Creek
Stream Classification:	Class III Trout Stream

Animal Units					
Animal Type	Current AU		Proposed AU (Note: If all zeroes, expansions are not expected during permit term)		
	Mixed	Individual	Mixed	Individual	Date of Proposed Expansion
Dairy Calves (under 400 lbs.)	38	0	0	0	
Milking and Dry Cows	1208	1234	0	0	
Heifers (800 lbs. to 1200 lbs.)	45	41	0	0	
Total	1291	1234	0	0	

Facility Description

Breezy Point Farms (also does business as Lindstrom Valley Farms, LLC), Inc. is an existing Concentrated Animal Feeding Operation (CAFO) dairy farm in Buffalo County, within Nelson Township. The farm is owned and operated by Randy, Deric, Andy, and Nora of the Lindstrom Family. The farm currently operates with approximately 863 milking/dry cows, 41 heifers, and 190 calves (~1,291 animal units).

The Breezy Point Farms operation is made up of several freestall barns, milking parlor, two feed storage areas, three liquid waste storage lagoons, sand separation building, and several calf barns. The four lagoons currently provide the farm with approximately 312 days of liquid waste storage.

Substantial Compliance Determination

Enforcement During Last Permit: In 2019 DNR issued Breezy Point Farms a Notice of Violation (NOV) for a discharge of pollutants to Little Bear Creek and an Unnamed Tributary. The incident occurred when a manure hose ruptured along the farm's northern border. Members of Breezy Point Farms acted quickly to mitigate the issue, but containment was

difficult due to the challenging terrain. A fish kill was not documented as a result of this discharge. The facility has completed all previously required actions as part of the enforcement process.

After a review of all permit application documents and site visits on October 14, 2020 and September 10, 2021, this facility has been found to be in substantial compliance with their current permit.

Sample Point Designation for Animal Waste		
Sample Point Number	Sample Point Location, Waste Type/sample Contents and Treatment Description (as applicable)	
001	WSF-1: Sample point 001 is for liquid waste stored in waste storage facility-1 (known as WSF-1). WSF-1 is a clay-lined storage structure located north of the Middle Barn. This storage structure has a maximum operating level (MOL) volume of approximately 2.0 million gallons and was constructed in 2001. This storage structure accepts manure and process wastewater produced at the Dairy Site.	
002	WSF-2: Sample point 002 is for liquid waste stored in waste storage facility-2 (known as WSF-2). WSF-2 is a concrete-lined storage structure located northwest of the Old Barn. This storage structure has a maximum operating level (MOL) volume of approximately 1.5 million gallons and was constructed in 2002. This storage structure accepts manure and process wastewater produced at the Dairy Site.	
004	WSF-4: Sample point 004 is for liquid waste stored in waste storage facility-4 (known as WSF-4). WSF-4 is an HDPE-lined storage structure located northeast of the Big Barn. This storage structure has a maximum operating level (MOL) volume of approximately 5.5 million gallons and was constructed in 2011. This storage structure accepts manure and process wastewater produced at the Dairy Site. This structure acts as the farm's primary storage structure.	
005	Manure Solids: Sample point 005 is for solid manure sources that are directly land applied and not stored in a waste storage facility. This includes solid sources such as calf pen manure, maternity pen pack, composted manure, etc. Representative samples shall be taken for each manure source type if not co-mingled.	
006	WSF Solids: Sample point 006 is for any settled solids removed from the waste storage facilities. This includes manure-laden sand, manure fibers, etc. Representative samples shall be taken from each waste storage facility if not co-mingled.	
008	Feed Storage Area & Runoff Control System: Sample point 008 is for visual monitoring and inspection of the feed storage areas and associated runoff control systems located at the Dairy site. Proper operation and maintenance will be required to ensure discharges meet permit requirements. Weekly inspections are required and shall be recorded according to the Breezy Point Farm Monitoring & Inspection Plan.	
009	Storm Water Control System: Sample point 009 is for visual monitoring and inspection of all production site storm water conveyance systems. This includes any drainage tile systems, grassed waterways, and other diversion systems that transport uncontaminated storm water. Proper operation and maintenance will be required to keep uncontaminated runoff diverted away from manure and process wastewater handling systems. Weekly inspections are required and shall be recorded according to the Breezy Point Farm Monitoring & Inspection Plan.	

1 Livestock Operations - Proposed Operation and Management

Production Area Discharge Limitations

Beginning on the effective date of the permit, the permittee may not discharge pollutants from the operation's production area (e.g., manure storage areas, outdoor animal lots, composting and leachate containment systems, milking center wastewater treatment/containment systems, raw material storage areas) to navigable waters, except in the event a 25-year, 24-hour rainfall event (or greater) causes the discharge from a structure which is properly designed and maintained to contain a 25-year, 24-hour rainfall event for this location as determined under s. NR 243.04. If an allowable discharge occurs from the production area, state water quality standards may not be exceeded.

Runoff Control

The permit requires control of contaminated runoff from all elements of the production area to prevent a discharge of pollutants to navigable waters in accordance with the Production Area Discharge Limitations and to comply with surface water quality standards and groundwater standards. Beginning on the effective date of this permit, (if needed) interim measures shall be implemented to prevent discharges of pollutants to navigable waters. In addition, permanent runoff control system(s) shall be designed, operated, and maintained in accordance with the requirements found in USDA Natural Resources Conservation Service standards and ch. NR 243, Wis. Adm. Code. If any upgrading or modifications to runoff controls are necessary, formal engineering plans and specifications must be submitted to the Department for approval.

Manure and Process Wastewater Storage

The permit requires the operation to have adequate storage for manure and process wastewater and that storage or containment facilities are designed, operated and maintained to prevent overflows and discharges to waters of the state. In order to prevent overflows, the permittee must maintain levels of materials in liquid storage or containment facilities at or below certain levels including a one-foot margin of safety that can never be exceeded. If any upgrading or modifications to the storage facilities are necessary, formal engineering plans and specifications must be submitted to the Department for approval.

The permittee currently has approximately 312 days of storage for liquid manure and process wastewater. The permittee must maintain 180 days of storage, unless temporary reductions in required storage are approved by the Department.

Ancillary Service and Storage Areas

The permittee shall take preventative maintenance actions and conduct visual inspections to minimize pollutant discharges from areas of the operation that are not part of the production area or land application areas. These areas are called ancillary service and storage areas and include access roads, shipping and receiving areas, maintenance areas, refuse piles and CAFO outdoor vegetated areas.

Nutrient Management

With 863 milking/dry cows, 41 heifers, and 190 calves, it is estimated that approximately 10.5 million gallons of manure and process wastewater will be produced per year. The permittee owns *approximately* 518 acres of cropland and rents an additional 1,038 acres (updated November 2021). The permit requires all landspreading of manure and process wastewater be completed in accordance with an approved nutrient management plan. The permit will require sampling and analysis of manure and process wastewater that will be landspread. Landspreading rates must be adjusted based on sample analysis. The permit requires the permittee to maintain a daily log that documents landspreading activities. The permit also requires the submittal of an annual report that summarizes all landspreading activities. Plans must be updated annually to reflect cropping plans and other operational changes. Among the requirements, the plans must include detailed landspreading information including field by field nutrient budgets.

The permittee is required to implement a number of practices to address potential water quality impacts associated with the land application of manure and process wastewater. Among the permit conditions are restrictions on manure ponding, restrictions on runoff of manure and process wastewater from cropped fields, and setbacks from wells and direct conduits to groundwater (e.g., sinkholes, fractured bedrock at the surface). In addition, the permittee must implement a phosphorus based nutrient management plan that addresses phosphorus delivery to surface waters by basing manure and process

wastewater applications on soil test phosphorus levels or the Wisconsin Phosphorus index. Additional phosphorus application restrictions apply to fields that are high in soil test phosphorus (>100 ppm).

The permittee must also implement conservation practices when applying manure near navigable waters and their conduits, referred to as the Surface Water Quality Management Area (SWQMA). These practices include a 100-foot setback from navigable waters and their conduits, a 35-foot vegetated buffer adjacent to the navigable water or conduit, or a practice that provides equivalent pollutant reductions equivalent to or better than the 100-foot setback.

In addition, the permittee must comply with restrictions on land application of manure and process wastewater on frozen or snow-covered ground. Included in these restrictions is a prohibition on surface applications of solid manure ($\geq 12\%$ solids) on frozen or snow-covered ground during February and March. All non-emergency surface applications of liquid manure ($< 12\%$) on frozen or snow-covered ground are prohibited.

Monitoring and Sampling Requirements

The permittee must submit a monitoring and inspection program that outlines how the permittee will conduct self-inspections to determine compliance with permit conditions. These self-inspections include visual inspections of water lines, diversion devices, storage and containment structures and other parts of the production area. The permit requires periodic inspections and calibrations of landspreading equipment. The permittee must take corrective actions to problems identified inspections or otherwise notify the Department. Samples of manure, process wastewater and soils receiving land applied materials from the operation must also be collected and analyzed.

Sampling Points

The permit identifies the different sources of land applied materials (e.g., manure storage facilities, milking centers, egg-washing facilities) as “Sampling Points.” For these Sampling Points, the permittee is required to sample and analyze the different sources for nutrients and other parameters which serve as the basis for determining rates of application for these materials. Other areas are also identified as Sampling Points as a means of identifying them as areas requiring action by the permittee, such as an upgrade or evaluation of a certain system or structure (e.g., runoff control systems), even though sampling is not actually required.

Sample Point Number: 001- WSF-1: Liquid Manure; 002- WSF-2: Liquid Manure; 004- WSF-4: Liquid Manure

Monitoring Requirements and Limitations					
Parameter	Limit Type	Limit and Units	Sample Frequency	Sample Type	Notes
Nitrogen, Total		lb/1000gal	2/Month	Grab	
Nitrogen, Available		lb/1000gal	2/Month	Calculated	
Phosphorus, Total		lb/1000gal	2/Month	Grab	
Phosphorus, Available		lb/1000gal	2/Month	Calculated	
Solids, Total		Percent	2/Month	Grab	

1.1.1 Changes from Previous Permit

Breezy Point Farms no longer uses sample point 003 as long-term storage of liquid manure. Sample Point 003 is an under-barn storage structure with a capacity off approximately 330,000 gallons.

1.1.2 Explanation of Operation and Management Requirements

Weekly waste levels will need to be recorded for sample points 001, 002, and 004.

Sample Point Number: 005- Solid Manure; 006- WSF Solids

Monitoring Requirements and Limitations					
Parameter	Limit Type	Limit and Units	Sample Frequency	Sample Type	Notes
Nitrogen, Total		lbs/ton	Quarterly	Grab	
Nitrogen, Available		lbs/ton	Quarterly	Calculated	
Phosphorus, Total		lbs/ton	Quarterly	Grab	
Phosphorus, Available		lbs/ton	Quarterly	Calculated	
Solids, Total		Percent	Quarterly	Grab	

1.1.3 Changes from Previous Permit

Sample point 006 has been added to account for all manure laden sand and settled solids mechanically removed from the storage structures.

1.1.4 Explanation of Operation and Management Requirements

Removal of solids for sample point 006 will need to be conducted on an as needed basis.

Sample Point Number: 008- Feed Storage Areas and 009- Stormwater Control Systems

1.1.5 Changes from Previous Permit

Sample points 008 and 009 have been added to account for existing runoff controls on site.

1.1.6 Explanation of Operation and Management Requirements

Sample points 008 and 009 will need to be inspected in accordance to the Breezy Point Farms Monitoring & Inspection Report.

2 Schedules

2.1 Emergency Response Plan

Required Action	Due Date
Develop Emergency Response Plan: Develop a written Emergency Response Plan within 30 days of	03/03/2022

permit coverage, available to the Department upon request.	
--	--

2.2 Monitoring & Inspection Program

Required Action	Due Date
Proposed Monitoring and Inspection Program: Consistent with the Monitoring and Sampling Requirements subsection, the permittee shall submit a proposed monitoring and inspection program within 30 days of the effective date of this permit.	03/03/2022

2.3 Annual Reports

Submit Annual Reports by January 31st of each year in accordance with the Annual Reports subsection in Standard Requirements.

Required Action	Due Date
Submit Annual Report #1: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2023
Submit Annual Report #2: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2024
Submit Annual Report #3: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2025
Submit Annual Report #4: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2026
Submit Annual Report #5: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2027
Ongoing Annual Reports: Continue to submit Annual Reports until permit reissuance has been completed.	

2.4 Nutrient Management Plan

Required Action	Due Date
Management Plan Submittal: Submit any necessary updates to the Nutrient Management Plan to meet the conditions outlined in this permit (see conditions in the Livestock Operational and Sampling Requirements section).	
Management Plan Annual Update #1: Submit an Annual Update to the Nutrient Management Plan by March 31st of each year. Note: In addition to Annual Updates, submit Management Plan Amendments to the Department for written approval prior to implementation of any changes to nutrient management practices, in accordance with the Nutrient Management requirements in the Livestock Operational and Sampling Requirements section.	03/31/2022
Management Plan Annual Update #2: Submit an Annual Update to the Nutrient Management Plan.	03/31/2023
Management Plan Annual Update #3: Submit an Annual Update to the Nutrient Management Plan.	03/31/2024

Management Plan Annual Update #4: Submit an Annual Update to the Nutrient Management Plan.	03/31/2025
Management Plan Annual Update #5: Submit an Annual Update to the Nutrient Management Plan.	03/31/2026
Ongoing Management Plan Annual Updates: Continue to submit Annual Updates to the Nutrient Management Plan until permit reissuance has been completed.	

2.5 Runoff Control System - Installation (Feed Storage Bunker)

Submit engineering plans & specifications for runoff control containment which will serves the Feed Storage Bunker area located north of Old Barn. Breezy Point Farms may choose to abandon the existing structure in lieu of submitting engineering plans & specifications.

Required Action	Due Date
Plans and Specifications: Submit plans and specifications for permanent runoff control system for Department review and approval in accordance with Chapter 281.41, Wis. Stats., and Chapter NR 243, Wis. Adm. Code. See Standard Requirements for plan content information.	03/31/2023
Complete Installation: Complete construction of runoff control system. System shall be functional and in operation by the specified Date Due. Post construction documentation shall be submitted within 60 days of completion of the project.	08/31/2024

2.6 Runoff Control System - Installation (Feed Storage Pad)

Submit engineering plans & specifications for runoff control containment which will serves the Feed Storage Pad located south of WSF-4. Breezy Point Farms may choose to abandon the existing structure in lieu of submitting engineering plans & specifications.

Required Action	Due Date
Plans and Specifications: Submit plans and specifications for permanent runoff control system for Department review and approval in accordance with Chapter 281.41, Wis. Stats., and Chapter NR 243, Wis. Adm. Code. See Standard Requirements for plan content information.	03/31/2023
Complete Installation: Complete construction of runoff control system. System shall be functional and in operation by the specified Date Due. Post construction documentation shall be submitted within 60 days of completion of the project.	08/31/2024

2.7 Submit Permit Reissuance Application

Required Action	Due Date
Reissuance Application: Submit a complete permit reissuance application 180 days prior to permit expiration.	08/04/2026

2.8 Explanation of Schedules

Schedule items 2.5 and 2.6 are requirements needed to address runoff containment concerns outlined during the October 14, 2020 DNR site inspection. Engineering plans for runoff containment upgrades will need to meet permit discharge limitation requirements.

Special Reporting Requirements

N/A

Other Comments:

N/A

Attachments:

Proposed Expiration Date:

January 31, 2027

Justification of Any Waivers from Permit Application Requirements

No waivers issued as part of this permit.

Prepared By:



Jeffrey Jackson Agricultural Runoff Management Specialist

Date: November 30, 2021

